

COPY  
PATENT

JAN 15 2002

PATENT & TRADEMARK OFFICE

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

- ☒ original  
☐ design  
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following three items applies, then check and also complete section entitled "CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120."

- ☐ divisional  
☐ continuation  
☒ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

BREATHABLE PACKAGING SYSTEM AND METHODS

RECEIVED

JAN 25 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

COPY

**SPECIFICATION IDENTIFICATION**

**COPY**

the specification of which:

(a) ☒ is attached hereto.

(b) ☐ was filed on \_\_\_\_\_ as ☐ Serial No. \_\_\_\_\_  
or ☐ Express Mail No. \_\_\_\_\_, as  
Serial No. not yet known, and was amended on \_\_\_\_\_  
(if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO and which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_  
and as amended under PCT Article 19 on \_\_\_\_\_  
(if any).

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority under 35 U.S.C. § 119, complete and attach EXHIBIT 1, FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56,

(also check the following items, if desired)

☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR § 1.98

**CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120**

NOTE: Complete this part only if this is a divisional, continuation or CIP application

I hereby claim the benefit under Title 35, United States Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first

**RECEIVED**  
JAN 25 2002

**OFFICE OF PETITIONS  
DEPUTY COMPTROLLER**

**COPY**

**COPY**

paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:				
U.S. APPLICATIONS		Status (check one)		
U.S. SERIAL NO.	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
08/188,183	Jan. 28, 1994		X	
07/968,798	Oct. 30, 1992		X	
07/865,563	Apr. 9, 1992	X		
07/649,379	Jan. 31, 1991	X		
249,761	Sept. 26, 1988			X
08/253,648	June 3, 1994		X	
07/965,585	Oct. 23, 1992		X	
07/893,586	June 2, 1992	X		X
07/707,417	May 28, 1991			X
07/502,358	March 29, 1990			X
08/108,093	Aug. 17, 1993		X	
08/024,573	March 1, 1993		X	
07/464,694	Jan. 16, 1990	X		
219,083	July 13, 1988	X		
004,275	Jan. 5, 1987	X		
613,080	May 22, 1984			

**RECEIVED**

JAN 25 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS**COPY**

**COPY**

**FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119**

(complete one of the following)

- ☒ I claim no foreign priority benefits under Title 35 U.S.C. § 119 of foreign application(s) for patent or inventor's certificate or of any PCT international application; or
- ☐ I claim foreign priority benefits under Title 35 U.S.C. § 119, as indicated in ADDED PAGE FOR FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119 attached hereto as Exhibit 1.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Jerry J. Dunlap, Reg. No. 17,146; Charles A. Coddling, Reg. No. 25,099; Mary M. Lee, Reg. No. 31,976; John F. McPhail, Reg. No. 35,611; Christopher W. Corbett, Reg. No. 36,109; Quentin R. Rakestraw, Reg. No. 36,897; Nicholas D. Rouse, Reg. No. 36,992; and Glen M. Burdick, Reg. No. 24,230; all of the firm of DUNLAP, CODDING & LEE, P.C., 9400 North Broadway, Suite 420, Oklahoma City, Oklahoma 73114.

Address all correspondence to: Charles A. Coddling  
DUNLAP, CODDING & LEE, P.C.  
9400 North Broadway, Suite 420  
Oklahoma City, Oklahoma 73114  
(405) 478-5344

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**COPY  
RECEIVED**

JAN 25 2002

COPY

SIGNATURES

Full Name of Sole  
or First Inventor:

Donald E. Weder

Inventor's Signature:

*Donald E. Weder*

Date of Signature:

13 Oct 94

Residence and  
Post Office Address:

1111 Sixth Street

Highland, Illinois 62249

Country of Citizenship:

U.S.A.

RECEIVED

JAN 25 2002

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

COPY

**COPY**

Abstract of the Invention

A breathable packaging material used for packaging items, such as floral groupings, flower pots, fresh produce, food, medical supplies/equipment, pharmaceutical products, and the like, thereby forming a breathable package for containing said items. The  
5 breathable packaging material comprises a sheet of material having controlled atmosphere characteristics, and having a desiccant and/or an antimicrobial agent. Methods for using breathable packaging material.

**RECEIVED**

**JAN 25 2002**

**OFFICE OF PETITIONS  
DEPUTY A/C PATENTS**

**COPY**